

78B-10-111 International commercial mediation.

(1) In this section:

- (a) "International commercial mediation" means an international commercial conciliation as defined in Article 1 of the Model Law.
- (b) "Model Law" means the Model Law on International Commercial Conciliation adopted by the United Nations Commission on International Trade Law on 28 June 2002 and recommended by the United Nations General Assembly in a resolution (A/RES/57/18) dated 19 November 2002.

(2) Except as otherwise provided in Subsections (3) and (4), if a mediation is an international commercial mediation, the mediation is governed by the Model Law.

(3) Unless the parties agree in accordance with Subsection 78B-10-103(3) that all or part of an international commercial mediation is not privileged, Sections 78B-10-104 through 78B-10-106 and any applicable definitions in Section 78B-10-102 of this chapter apply to the mediation and nothing in Article 10 of the Model Law derogates from Sections 78B-10-104 through 78B-10-106.

(4) If the parties to an international commercial mediation agree under Article 1, Section (7), of the Model Law that the Model Law does not apply, this chapter applies.

Renumbered and Amended by Chapter 3, 2008 General Session